

(23)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI.

CCP 405/92 in
OA 2100/91.

Date of decision: 03.05.1993.

O.P. Sharma.

..Petitioner.

Versus

Shri Masihuzzaman,
Secretary,
Railway Board,
Ministry of Railways,
New Delhi & Ors.

..Respondents.

CORAM:

THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. B.N. DHOUNDIYAL, MEMBER(A).

For the petitioner.

Petitioner in person.

For the respondents.

Shri D.S. Mahendru,
proxy for Shri P.S.
Mahendru, Counsel.

JUDGEMENT (ORAL)

(By Hon'ble Mr. Justice V.S. Malimath, Chairman)

The amount due to the petitioner having been paid, the only obligation for the petitioner was to vacate the premises on or before 30.4.1993. That has not been done. On the contrary he has made an application for grant of time for vacating the quarter where he has given an undertaking to vacate from the railway quarter by 15.5.1993 possibly. He has also stated that he is prepared to pay rent leviable on him as per rules for the said period. In the circumstances, we consider it just and proper to grant time to the petitioner for vacating the quarter till 15.5.1993. If the petitioner does not vacate the quarter, as undertaken by him, on or before 15.5.1993, apart from his becoming liable under the Contempt of Court proceedings, the respondents are entitled to forcibly evict him from the premises after 15.5.1993. If the petitioner does not vacate the

✓ 2 ✓

quarter on his own on or before 15.5.1993, the respondents shall be entitled to recover from the petitioner rent at the rate of Rs.200/- per month from 3.5.1993 till he is made to vacate from the premises.

2. With these directions, this CCP stands disposed of.

B. N. Dholiyal
(B.N. DHOUNDIYAL)

MEMBER(A)

V. S. Malimath

(V.S. MALIMATH)
CHAIRMAN

'SRD'
030593